



Office of Chicago City Clerk



F2011-115

Office of the City Clerk

Tracking Sheet

Meeting Date: 5/18/2011
Sponsor(s): Mayor Emanuel, Rahm
Type: Communication
Title: Executive Order No. 2011- 4
Committee(s) Assignment:



RECEIVED

2011 MAY 16 PM 4:26

OFFICE OF THE MAYOR
CITY OF CHICAGO

OFFICE OF THE
CITY CLERK

RAHM EMANUEL
MAYOR

Executive Order No. 2011-4

WHEREAS, the people of the City of Chicago are entitled to have absolute faith in the integrity of governmental decisions and it is crucial that individuals who are elected to public office have the trust, respect and confidence of the citizenry; and

WHEREAS, in order to promote public confidence in government and its decision-making, it is necessary that public officials and contractors adhere to the highest ethical standards and avoid transactions and circumstances that may compromise or appear to compromise the independence of any City decision; and

WHEREAS, it is essential that the public have confidence that the selection of City contractors is based on merit and have trust in the processes by which taxpayer dollars are spent; and

WHEREAS, these laws currently prohibit employees from accepting political contributions from persons doing business with the City, soliciting political contributions on City time or performing any other political activity on City time; and

WHEREAS, current state statutes and local ordinances governing political Contributions prohibit anonymous political contributions or contributions in the names of other persons and prohibit anyone from compelling, coercing or intimidating another into making political contributions; and

WHEREAS, this Order places an even greater restriction on the mayor and on City contractors by prohibiting City contractors, owners of City contractors, spouses or domestic partners of owners of City Contractors, subcontractors to a City contractor on a City contract, owners of subcontractors to a City Contractor on a City contract, and spouses or domestic partners of owners of subcontractors to a City contractor on a City contract from making Contributions of any amount to the mayor; and

WHEREAS, the provisions of this Order represent a message to every Chicagoan that the City's Mayor is committed to a City administration and a contract and procurement process based on the highest ethical standards; and

WHEREAS, by this Order, an unmistakable message about ethical conduct will be conveyed; now, therefore,

I, RAHM EMANUEL, Mayor of the City of Chicago, do hereby order as follows:

1. Definitions

For purposes of this Order,

“City Contractor” means a person who or entity that has submitted a bid for or enters into a Contract with the City.

“Contract” means any agreement with the City that is (i) formed under the authority of chapter 2-92 of the Municipal Code of Chicago; (ii) for the purchase, sale or lease of real or personal property; or (iii) for materials, supplies, equipment or services which are approved and/or authorized by the City council.

“Contribution” means a “political contribution” as defined in Chapter 2-156 of the Municipal Code of Chicago, as amended.

“Owner” means any person with an ownership or beneficial interest in an entity of more than seven and one-half percent.

“Political Fundraising Committee” means a “political fundraising committee” as defined in Chapter 2-156 of the Municipal Code of Chicago, as amended.

2. Violations

Any one or more of the following shall be a violation of this Order:

- (1) For any City Contractor to make a Contribution of any amount to the mayor or to his Political Fundraising Committee during the bid or other Contract solicitation process, including any time after a Contract is awarded but before the start of the contract, and/or the term of any Contract between the City and City Contractor or any period, during which an extension of the City Contractor’s Contract is being sought or negotiated.
- (2) For the owner of any City Contractor to make a Contribution of any amount to the mayor or to his Political Fundraising Committee during the bid or other Contract solicitation process, including any time after a Contract is awarded but before the start of the contract, and/or the term of any Contract between the City and City Contractor or any period during which an extension of the City Contractor’s Contract is being sought or negotiated.
- (3) For the spouse or domestic partner of the owner of any City Contractor to make a Contribution of any amount to the mayor or to his Political Fundraising Committee during the bid or other Contract solicitation process, including any time after a Contract is awarded but before the start of the contract, and/or the term of any Contract between the City and City Contractor or any period during which an extension of the City Contractor’s Contract is being sought or negotiated.

- (4) For a subcontractor of any City Contractor on a City Contract to make a Contribution of any amount to the mayor or to his Political Fundraising Committee during the bid or other Contract solicitation process, including any time after a Contract is awarded but before the start of the contract, and/or the term of any Contract between the City and City Contractor or any period during which an extension of the City Contractor's Contract is being sought or negotiated.
- (5) For the owner of any subcontractor of any City Contractor on a City Contract to make a Contribution of any amount to the mayor or to his political fundraising committee during the bid or other Contract solicitation process, including any time after a Contract is awarded but before the start of the contract, and/or the term of any Contract between the City and City Contractor or any period during which an extension of the City Contractor's Contract is being sought or negotiated.
- (6) For the spouse or domestic partner of any owner of any subcontractor of any City Contractor on a City Contract to make a Contribution of any amount to the mayor or to his Political Fundraising Committee during the bid or other Contract solicitation process, including any time after a Contract is awarded but before the start of the contract, and/or the term of any Contract between the City and City Contractor or any period during which an extension of the City Contractor's Contract is being sought or negotiated.
- (7) For any City Contractor or subcontractor to a City Contractor on a City Contract to coerce, compel or intimidate its employees to make a Contribution of any amount to the mayor or to his Political Fundraising Committee.
- (8) For any City Contractor or subcontractor to a City Contractor on a City Contract to reimburse its employees for a Contribution of any amount made to the mayor or to his Political Fundraising Committee.
- (9) For any City Contractor or subcontractor to a City Contractor on a City Contract to bundle or solicit others to bundle Contributions to the mayor or to his Political Fundraising Committee. For purposes of this Order, "bundle" shall mean to collect Contributions from more than one source which are then delivered by one person to the mayor or to his Political Fundraising Committee.
- (10) For any City Contractor, owner of a City Contractor, spouse or domestic partner of an owner of a City Contractor, subcontractor to a City Contractor on a City contract, owner of a subcontractor of a City Contractor on a City contract, or spouse or domestic partner of an owner of a subcontractor of a City Contractor on a City Contract to engage in any conduct whatsoever designed to intentionally violate the provisions of this Executive Order or to entice, direct or solicit others to intentionally violate the provisions of this Executive Order.

3. Penalty

In addition to any other penalty authorized by law, any Contract negotiated, entered into, or performed in violation of any of the provisions of this Order shall be terminable by the City.

Any bid or proposal submitted in violation of any of the provisions of this Order shall be subject to rejection by the City.

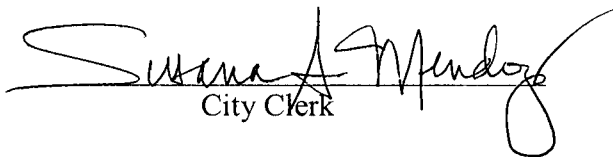
4. **Effective Date**

This Order shall take effect upon its execution and filing with the City Clerk.

A handwritten signature in black ink, appearing to be "R. [unclear]", written over a horizontal line.

Mayor

Received and filed May 16, 2011

A handwritten signature in black ink, appearing to be "Susana A. Munday", written over a horizontal line.

City Clerk



RECEIVED

2011 MAY 16 PM 4:26

OFFICE OF THE MAYOR
CITY OF CHICAGO

OFFICE OF THE
CITY CLERK

RAHM EMANUEL
MAYOR

May 16, 2011

Susana A. Mendoza
City Clerk
Room 107, City Hall
Chicago, IL 60602

Dear Ms. Mendoza:

I transmit herewith for filing Executive Orders 2011-1 through 2011-6, which I have signed this date.

Your prompt attention to these matters is appreciated.

Sincerely,

Mayor